

CHAPTER XL.

An Act to amend the charter of the city of Minneapolis, and to amend an act entitled "an act to authorize the city of Minneapolis to issue bonds for the construction of water works," approved February twelfth, one thousand eight hundred and sixty-eight. March 4, 1868.

- SECTION 1. Amendment to subdivision 32, of Section 3, of Chapter 4, Special Laws of 1867. Punishment for fines and penalties imposed.
2. Amendment to Section 7, Chapter 4. Mayor to appoint a Chief of Police—duties of—Constables' fees.
 3. Amendment to Section 11, Chapter 3. City Justice to make report to Common Council—what to contain.
 4. Amendment to section 7, Chapter 10. Disposition of fines and penalties collected for violation of any ordinance.
 5. Amendment to Section 4, Chapter 4. Vote necessary for passage of all ordinances, &c.—when may be admitted as evidence in any court—how appropriations may be made.
 6. Amendment to Section 8, Chapter 4. For what, sums may be appropriated.
 7. Authorized to issue bonds to aid in the construction of a road from Minneapolis to Hutchinson—in what amount.
 8. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section three, of chapter four, of an act of the legislature of the state of Minnesota, entitled "an act to incorporate the city of Minneapolis," approved February sixth, A. D. one thousand eight hundred and sixty-seven, be and the same is hereby amended so that the thirty-second and last clause or subdivision of said section shall read as follows :

Thirty-second—Fines, penalties and punishments imposed by the common council for the breach of any ordinance, by-law or regulation of said city, may extend to a fine not exceeding one hundred dollars, and imprisonment in the city prison or county jail not exceeding thirty days, or both, and to be fed on bread and water, or to hard labor

Punishment for fines and penalties imposed.

Powers of the
Council.

upon the streets, alleys or any public work of said city, with a ball and chain attached to the leg of the offender, for a period not exceeding ninety days, and imprisonment in the city prison or county jail during the intervals of such time when not at work as aforesaid, or to any or either or all of such punishments. *Provided*, That no sentence of hard labor shall be imposed, together with the penalty of the offender being fed on bread and water, and whenever any punishment for the violation of any ordinance of said city shall be declared by said common council to be hard labor as aforesaid, with a ball and chain attached to the leg of the offender, and such punishment shall be inflicted by the sentence of any city justice, upon any person or persons violating any ordinance of said city as aforesaid, it shall be the duty of the jailor or other person to whose custody the offender is committed, to surrender such offender into the custody of the person or officer in charge of any work upon any street of said city or other public work of said city when called upon for that purpose, and to receive such offender back from the custody of such person or officer, whenever returned, and such person or officer so receiving such offender for the purpose aforesaid, shall be responsible to the city of Minneapolis for the safe keeping of such offender during the time such offender shall remain in his custody as aforesaid. And any such person or officer who shall wilfully or through negligence suffer any such offender to escape from his custody aforesaid, shall pay to the said city a sum of money equal to two dollars for each and every day of the unexpired term that such offender so escaping was liable to work for said city, as aforesaid, to be recovered in a civil action in the name of said city, before any city justice of said city, and the official bonds of any officer of said city against whom any judgment shall be recovered for any such escape, shall be liable for the same. And it shall be the duty of any such officer or person so receiving any such offender from jailor or other person as aforesaid, for the purpose aforesaid, to keep such offender at hard labor for the space of ten hours in each and every day upon such street or public work as such person or officer shall direct.

SEC. 2. That section seven, of chapter three, of said act, be and the same is hereby amended so as to read as follows:

Sec. 7. There shall be a chief of police in said city who shall be appointed by the mayor, by and with the

consent of the common council, who shall perform such duties as shall be prescribed by the common council for the preservation of the public peace. All police officers of said city shall possess the powers of constables at common law or by the laws of this state, and it shall be their duty to execute and serve all warrants, processes, commitments, and all writs whatsoever, issued by the city justices, for any violation of the laws of the state of Minnesota, or of the ordinances or by-laws of the said city, and also all writs and processes whatsoever, issued by the city justices in civil actions, when specially ordered by such justice to serve such civil process, but not otherwise. And they shall have authority to pursue and arrest any person fleeing from justice in any part of this state, and when performing the duties of constables aforesaid, shall be entitled to like fees. Watchmen shall have authority to arrest and detain any person guilty of any breach of the peace, or of any violation of the laws of this state, or of the ordinances or by-laws of said city, and for these purposes shall possess the powers of constables at common law, while on duty. There shall be elected in said city, at the regular annual city election in each year, one constable, who shall be styled city constable, who shall possess all the powers of a constable at common law, whose duty it shall be to serve all civil process of whatsoever nature, issued by the city justices, and all criminal process issued by such justices, that shall be placed in his hands. Such constable shall receive the same fees for such services as are allowed constables in towns for similar services, and shall, before entering upon the duties of his office, execute a bond to the city of Minneapolis, in the sum of five hundred dollars, conditioned for the faithful performance of his duties as such constable, which bond shall have two sureties to be approved by the mayor, and shall be filed with the clerk of said city, such constable shall be subject to the same liabilities, and enjoy the same privileges as constables in towns in this state, and his official bond may be sued upon in the same cases as the official bonds of such constables. Said city constable shall hold his office until his successor shall have been duly elected and qualified.

Chief of Police—
duties of—
Constables' fees.

SEC. 3 That section eleven chapter three be amended to read as follows:

Sec. 11. The city justices shall as often as the common council may require, report to the common council all the proceedings instituted before them in which the city

City Justice to
make report to
Council—what
to contain.

is interested, and shall at the same time account for and pay over to the city treasurer all fines and penalties collected or received by them belonging to said city, and said justices shall be entitled to receive from the city of Minneapolis in all criminal cases arising under the by-laws or ordinances of said city, and from the county or Hennepin in all criminal cases arising under the laws of the state of Minnesota, other than said by-laws (or) ordinances, such fees as are allowed by statutes to justices of the peace for similar services.

SEC. 4. That section seven, chapter ten, be amended so as to read as follows :

Disposition of
fines collected.

Sec. 7. All fines, penalties, judgments and moneys, except officers and justices fees that may be imposed, levied or collected by the city justice or that may be collected by any other officers of the city for the violation of any ordinance or by-law of said city, shall be vested in and be the sole and exclusive property of said city, and all fines and moneys that may be collected by any officer of said city for any violation of any law of this state other than a by-law or ordinance of said city, shall belong to the county of Hennepin, and shall be accounted for to said county of Hennepin by the officers collecting the same, at the first meeting of the board of county commissioners of said county held after such collection.

SEC. 5. That section four, chapter four, be amended so as to read as follows :

Ordinances, &c.
how passed—
when admitted
as evidence—ap-
propriations
how made.

Sec. 4. All ordinances, regulations, resolutions and by-laws shall be passed by an affirmative vote of a majority of the members of the common council present, by ayes and noes, and published in the official paper of said city before the same shall be in force, and shall be admitted as evidence in any court in the state without further proof, and they shall be recorded by the city clerk in books provided for that purpose. No appropriation shall be made without a vote of a majority of the members elect of the common council in its favor, which vote shall be taken by ayes and noes and entered among the proceedings of the council.

SEC. 6. That section three, of chapter four of said act be and the same is hereby amended by adding thereunto at the end of said section as follows :

For what appro-
priated.

Thirty Third—To appropriate out of any money in the treasury of the city not otherwise appropriated, not exceeding one thousand dollars in any one year, such sum

or sums as the common council may deem proper for extraordinary expenses of said city, and may include in the estimate of expenses for the city government a sum not exceeding one thousand dollars in any one year for such extraordinary expenses, and levy a tax therefor and collect the same as other taxes are collected for expenses of said city government.

SEC. 7. That the city of Minneapolis be and is hereby authorized to use and appropriate the bonds of said city to the amount of one thousand dollars, the issue of which are provided for in an act entitled "an act to authorize the city of Minneapolis to issue bonds for the construction of water works," approved February twelfth, one thousand eight hundred and sixty-eight, to aid in the construction of a road or roads from said city of Minneapolis to Hutchinson, in the county of McLeod, such aid to be given in such manner as the common council of said city of Minneapolis may direct.

Authorized to
issue bonds—
for what.

SEC. 8. This act shall take effect and be in force from and after its passage.

when act to take
effect.

Approved March 4, 1868.

CHAPTER XLI.

An Act to amend the charter of the city of Redwing.

March 4, 1868.

SECTION 1. Amendment to Section 2, Chapter 4, Session Laws of 1864. Punishment for fines and penalties imposed.

2. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section number two, of chapter four, of an act to amend an act entitled an act to amend an act entitled an act to incorporate the city of Redwing, approved March third, eighteen hundred and sixty-four,